

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**KENNETH PEYTON**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 3:14-CV-780-HTW-LRA**

**WEXFORD HEALTH SERVICE, ET AL.**

**DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the court pursuant to the Report and Recommendation [docket no. 28] of United States Magistrate Judge Linda Anderson, which recommends that this court dismiss plaintiff's lawsuit for failure to prosecute. Plaintiff has filed no objection.

Based upon the evidence in the Report and Recommendation, this court hereby adopts the Report and Recommendation of the United States Magistrate Judge as the order of this court. This lawsuit is hereby dismissed, without prejudice, for failure to prosecute.

**SO ORDERED, THIS THE 24<sup>th</sup> DAY OF NOVEMBER, 2015.**

**s/ HENRY T. WINGATE**

**UNITED STATES DISTRICT JUDGE**